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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,852	12/12/2001	David J. Norris	42P11635	9597

8791 7590 04/02/2004

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EXAMINER

HOANG, THAI D

ART UNIT PAPER NUMBER

2667

DATE MAILED: 04/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,852

Applicant(s)

NORRIS ET AL.

Examiner

Thai D Hoang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-9 and 14-19 are rejected under 35 U.S.C. 102(a) as being unpatentable by over Shaffer, European Patent No. 1091550 A2.

Regarding claims 1-2, Shaffer discloses a method and system for multimedia conferencing. Shaffer discloses that the method comprises the step of receiving a request to create an audio conference between a party and other parties based on the identification of the parties (col.1, lines 3-5, col. 5, lines 21-23.)

Regarding claims 3, 7, 15 and 18, Shaffer discloses that in order to establish a conference between parties the method comprises the steps of: receiving a plurality of call requests with identifications from the parties, a multipoint control unit controller (MCUC) accesses to a database to check information concerning MCU related to the conferencing parties, and then performing multipoint conferencing setup with the parties (col. 5, line 20 - col. 6, line 20.)

Regarding claims 4, 9 and 16, Shaffer teaches in figures 5-6 that the system receiving a stream of packet over each connections (A and B, B and C) and transferring the stream to the MCU for mixing to establish a conference (fig. 5-6)

Regarding claim 5, Shaffer discloses that the network is a packet network,

therefore, it could be operated with TCP/IP. Also, Shaffer disclosed that the system is adapted with the Recommendation H.323 (fig. 2, col. 1, line 13; col. 3, lines 10-42)

Regarding claims 6, 8 and 19, Shaffer teaches in figures 5-6 a procedure to establish a conference comprising the steps of: receiving a first call request from a party A to connect with a party B, then establishing a connection between party A and B by a MCU; receiving a second request from the party B to connect with a party C and then setup a connection B and C by the MCU. The MCU mixes a first and a second packet stream of the first and second connections to establish a conference.

Regarding claims 14 and 17, Shaffer discloses that the MCU comprises a storage unit 290 that stores instructions for establishing a conference between parties.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer, European Patent No. 1091550 A2, in view of Thompson et al., US Patent Application Publication No. 2002/0078150 A1.

Regarding claims 10 and 12, Shaffer discloses the system comprises a gateway 106a to convert audio signal to data packet; a gatekeeper 108 connected to the gateway 106a inherently includes a conference information table to check the identification of users before setup the connection (col. 5, lines 23-25); and a MCU 104

connected to the gatekeeper 108 and gateway 106 to establish the conference (fig. 2). Shaffer does not disclose that the bridge table has information indicating whether the access number is also a bridge number. However, Thompson discloses a method of team member profile selection within a virtual team environment. Thompson teaches that terminals are connected to establish a conference bridge base on an assigned session ID; figs. 3-4 and 27-32; paragraphs [0146], [0157-0158], [0160], [0168-0169], [0179], [0184]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply session ID disclosed by Thompson into Shaffer's system on order to quickly establish the conference and improve the call management in the system.

Regarding claim 11, Shaffer discloses that the network is a packet network; therefore, it could be operated with TCP/IP. Also, Shaffer disclosed that the system is adapted with the Recommendation H.323 (fig. 2, col. 1, line 13; col. 3, lines 10-42)

Regarding claim 13, the gatekeeper in the system disclosed by Shaffer inherently comprises a user interface in order to allow the user modifies the conference information table.

Response to Arguments

Applicant's arguments filed on 02/23/2004 with respect to claims 1-9 and 14-19 have been fully considered but they are not persuasive.

Regarding claims 1-9 and 14-19, pages 8-9 of the remarks, Applicants argue that the reference does not use an access number for creating an audio bridge session. Examiner respectfully disagrees. The reference teaches "the MCUC 105a receives

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conference call setup requests, including, for example identifications of the parties involved..." (col. 5, lines 21-23). It indicates that the identification of the request party is a kind of access number to create an audio bridge session.

Applicant's arguments with respect to claims 10-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (703) 305-3232. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 3/3/04